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Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

ERIC MICHAEL JAKLITSCH,

Defendant.

CASE NO. 2:22-CR-00015 WBS

STIPULATION REGARDING EXCLUDABLE
TIME PERIODS UNDER SPEEDY TRIAL ACT;
ORDER

DATE: September 19, 2022
TIME: 9:00 a.m.
COURT: Hon. William B. Shubb

STIPULATION

1. By previous order, this matter was set for status on September 19, 2022.
2. By this stipulation, the defendant now move to continue the status conference until November 14, 2022, and to exclude time between September 19, 2022, and November 14, 2022, under Local Code T4.
3. The parties agree and stipulate, and request that the Court find the following:
 - a) The government has represented that the discovery associated with this case includes over 9,900 pages and items of law enforcement reports, EDD records, bank records, ID.me records, witness statements, photographs, jail call recordings, and search warrant items. The government has also produced new discovery that is now available to defense counsel for inspection, including Cellebrite extraction reports for certain electronic devices seized from the defendant. The government has also recently provided additional discovery to the defendant that

1 relates to alleged crimes committed in the District of New Jersey, which relate to the charges in
2 this case. All this discovery has been either produced directly to counsel and/or is available to
3 the defense for inspection and copying under the current Protective Order.

4 b) The parties are currently in discussions regarding the United States Attorney's
5 Office in the District of New Jersey filing of an Information that would charge alleged crimes in
6 that district that relate to the charges in the Eastern District of California. The parties are also
7 discussing the possibility of a global resolution that will allow the defendant to plead guilty in
8 this District to certain charges of the indictment in this case and anticipated charges in the
9 District of New Jersey under Rule 20 of the Federal Rules of Civil Procedure. Under such an
10 agreement, the defendant would both plead guilty to such charges and be sentenced under both
11 charging documents in this District and by this Court.

12 c) Counsel for defendant desire additional time to consult with his client, to review
13 the current charges, to conduct investigation and research related to the charges, to review
14 discovery for this matter and for the matter in the District of New Jersey, to discuss potential
15 resolutions with his client, and to otherwise prepare for trial.

16 d) Counsel for defendant believes that failure to grant the above-requested
17 continuance would deny them the reasonable time necessary for effective preparation, taking into
18 account the exercise of due diligence.

19 e) The government does not object to the continuance.

20 f) Based on the above-stated findings, the ends of justice served by continuing the
21 case as requested outweigh the interest of the public and the defendant in a trial within the
22 original date prescribed by the Speedy Trial Act.

23 g) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
24 et seq., within which trial must commence, the time period of September 19, 2022 to November
25 14, 2022, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local
26 Code T4] because it results from a continuance granted by the Court at defendant's request on
27 the basis of the Court's finding that the ends of justice served by taking such action outweigh the
28 best interest of the public and the defendant in a speedy trial.

4. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

IT IS SO STIPULATED.

Dated: September 14, 2022

PHILLIP A. TALBERT
United States Attorney

/s/ ROBERT J. ARTUZ
ROBERT J. ARTUZ
Assistant United States Attorney

Dated: September 14, 2022

/s/ ALEX KESSEL
Alex Kessel
Counsel for Defendant
ERIC MICHAEL JAKLITSCH

ORDER

IT IS SO FOUND AND ORDERED.

Dated: September 16, 2022



WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE